

DECLARATION OF COVENANTS AND RESTRICTIONS

TOWNHOUSE COMMON AREAS
BLOCK 1
MIAMI LAKES-LAKE CAROL REPLAT NO. THREE
Plat Book 132, at Page 80

(AMENDING
DECLARATION OF COVENANTS AND RESTRICTIONS
MIAMI LAKES-LAKE CAROL
Plat Book 127, at Page 31
Block 1 Only

and
DECLARATION OF COVENANTS AND RESTRICTIONS
MIAMI LAKES-LAKE CAROL REPLAT NO. ONE
Plat Book 131, at Page 55
Block 1 Only

and
DECLARATION OF COVENANTS AND RESTRICTIONS
MIAMI LAKES-LAKE CAROL REPLAT NO. TWO
Plat Book 132, at Page 5
Block 1 Only)

1988 APR 28 PM 2 40

88R146714

THIS INSTRUMENT is executed as of this 28th day of April, 1988, by THE GRAHAM COMPANIES, a Florida corporation, f/k/a The Sengra Corporation ("Developer"), under the Declaration of Covenants and Restrictions for Miami Lakes-Lake Carol Townhouse Common Areas, Block 1, Miami Lakes-Lake Carol, Plat Book 127, at Page 31, which declaration was recorded July 11, 1985, under Clerk's File No. 85R209199, in Official Records Book 12569, at Page 2150, of the Public Records of Dade County, Florida (the "Old Covenants and Restrictions") as amended in the Declaration of Covenants and Restrictions, Townhouse Common Areas, Block 1, Miami Lakes-Lake Carol Replat No. One, Plat Book 131, at Page 55, recorded June 1, 1987, under Clerk's File No. 87R207095, in Official Records Book 13296, at Page 3771, of the Public Records of Dade County, Florida (the "Amended Declaration"), as amended by the Declaration of Covenants and Restrictions for Miami Lakes-Lake Carol Replat No. Two, Plat Book 132, at Page 5, recorded August 12, 1987, under Clerk's File No. 87R311816, in Official Records Book 13378, at Page 437, of the Public Records of Dade County, Florida, (the "Second Amended Declaration").

WHEREAS:

A. Lots 47 through 70, all inclusive, Block 1, of MIAMI LAKES-LAKE CAROL, Plat Book 127, at Page 31, have been replatted and now comprise Lots 47-A through 70-A, all inclusive, of Block 1, of MIAMI LAKES-LAKE CAROL REPLAT NO. THREE, according to the plat thereof, as recorded in Plat Book 132, at Page 80, of the Public Records of Dade County, Florida, ("Replat No. Three"). The purpose of the replat was to close, vacate and abandon those

various portions of utility easements which had been shown on the earlier plat and which are not contained on the new plat and to create new easement lines as shown on Replat No. Three.

B. Developer is the declarant under the Old Covenants and Restrictions and is the owner of the fee simple title to all of the lots in Replat No. Three.

C. Owners holding not less than two-thirds (2/3) vote of the membership of the Miami Lakes-Lake Carol Homeowners' Association, Inc., a Florida corporation not for profit (the "Association"), have the power and authority to amend, change, add to, derogate or delete the covenants, restrictions, easements, charges and liens contained in the Old Covenants, with Developer's consent, subject to a provision not here relevant.

D. As of the date this instrument is executed and recorded, Developer has 89 of a total of 118 votes which is more than a two-thirds (2/3) vote of the membership of the Association. Developer, who is owner of all of the Lots described herein, except Lots, 12-A, 13-A, 15-A, 19-A, 22-A, 27-A, 28-A, 30-A, 32-A, 34-A, 35-A, 38-A, 41-A and 45-A of Replat No. One and Lots 11-B, 14-B, 16-B, 18-B, 19-B, 20-B, 21-B, 23-B, 26-B, 29-B, 31-B, 36-B, 37-B, 42-B, and 43-B of Replat No. Two, has the power and authority as set forth in Article VI, Section 5 of the Old Covenants and Restrictions, to modify, amend, derogate, or add to the Old Covenants and Restrictions.

E. Developer desires to amend the Old Covenants and Restrictions to reflect the replatting under Replat No. Three and to declare that the Old Covenants as hereby amended are applicable to Lots 47-A through 70-A, all inclusive, of Block 1, of Miami Lakes-Lake Carol Replat No. Three.

NOW THEREFORE, in consideration of the premises, Developer makes the following declarations and amendments to the Old Covenants as amended by the Amended Declaration:

1. Article I, Paragraph (c), is revised to read as follows:
 - (c) "Access Area" shall mean and refer to the portion of each lot and the portion of Tracts P-76, P-77, P-78, and P-79 that are subject to the utility and access easements (which are 22 feet wide) as shown on the plat of Miami Lakes-Lake Carol, Plat Book 127, Page 31; Miami Lakes-Lake Carol Replat No. One, Plat Book 131,

Page 55; and Miami Lakes-Lake Carol Replat No. Two, Plat Book 132, Page 5; and Miami Lakes-Lake Carol Replat No. Three, Plat Book 132, Page 80.

2. In Article I, Paragraph (g) (as amended), there is inserted after the reference to Miami Lakes-Lake Carol, and on the plat of Miami Lakes-Lake Carol Replat No. One, and the Plat of Miami Lakes-Lake Carol Replat No. Two, the words "and on the Plat of Miami Lakes-Lake Carol Replat No. Three."

3. The legal description contained in Article II, Section 1 is revised to read as follows:

Lots 1 through 10 and 71 through 118, all inclusive, of Block 1, of MIAMI LAKES-LAKE CAROL, according to the plat thereof, as recorded in Plat Book 127, at Page 31, of the Public Records of Dade County, Florida; and

Lots 12-A, 13-A, 15-A, 17-A, 22-A, 24-A, 27-A, 28-A, 30-A, 32-A, 34-A, 35-A, 38-A, 39-A, 41-A, 44-A, 45-A, all inclusive, of Block 1, of Miami Lakes-Lake Carol Replat No. One, according to the plat thereof, as recorded in Plat Book 131, at Page 55, of the Public Records of Dade County, Florida; and

Lots 11-B, 14-B, 16-B, 18-B, 19-B, 20-B, 21-B, 23-B, 25-B, 26-B, 29-B, 31-B, 33-B, 36-B, 37-B, 40-B, 42-B, 43-B, 46-B, all inclusive, of Block 1, of Miami Lakes-Lake Carol Replat No. Two, according to the plat thereof, as recorded in Plat Book 132, at Page 5, of the Public Records of Dade County, Florida; and

Lots 47-A through 70-A, all inclusive, of Block 1 of Miami Lakes-Lake Carol Replat No. Three, according to the Plat thereof, as recorded in Plat Book 132, Page 80 of the Public Records of Dade County, Florida; and

4. The real property described in paragraph 3 hereof is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens of the Old Covenants as amended by this instrument as fully as if restated word for word with the above amendment.

EXECUTED as of April 28th, 1988.

Signed in the presence of:

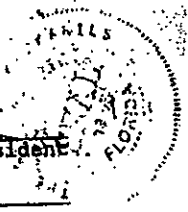
Debra Wiles

Grant Roof

THE GRAHAM COMPANIES

By William E. Graham, President

Attest: Edwin E. Feathers, Secretary



RECORDED IN OFFICIAL RECORDS BOOK OF DADE COUNTY, FLORIDA. RECORD VERIFIED. RICHARD P. BRINKER, CLERK, CLERK COURT

STATE OF FLORIDA
COUNTY OF DADE

28th The foregoing instrument was acknowledged before me, this day of April, 1988, by WILLIAM E. GRAHAM, President, and Edwin E. Feathers, Secretary, of THE GRAHAM COMPANIES, a Florida corporation, on behalf of the corporation.

THIS INSTRUMENT WAS PREPARED BY:
WALLACE L. LEWIS, JR.
ATTORNEY AT LAW
6843 MAIN STREET
MIAMI LAKES, FL 33014

John B. Buss
Notary Public, State of Florida
at Large

My Commission Expires:
NOTARY PUBLIC STATE OF FLORIDA
BY COMMISSION EXP. 416 33, 1993
BONDED THIRD GENERAL INS. #50